

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GHENGIS KHAN,

Plaintiff,

-against-

WARDEN CARTER, *et al.*,

Defendants.

21-CV-8993 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff was detained at the Vernon C. Bain Center (VCBC) when he filed this complaint, but he has since been released. On November 7, 2021, the Court granted Plaintiff leave to proceed *in forma pauperis* (IFP). A copy of that order was mailed to Plaintiff at VCBC, but it was returned as undeliverable. By order dated December 6, 2021, the Court directed Plaintiff to update his address within thirty days. On December 28, 2021, the order was again returned to the Court with a notation on the envelope indicating that the mail was undeliverable to that address. Plaintiff has not complied with the Court's order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff's complaint, filed IFP pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.¹

SO ORDERED.

Dated: January 18, 2022
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

¹ The Court is aware that this mailing will also in all likelihood be returned.